

(3)
5/30/01
MT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**GREENE/GUILFORD
ENVIRONMENTAL ASSOCIATION,
a non-profit corporation
incorporated under the laws of
the Commonwealth of
Pennsylvania; CITIZENS FOR
PLANNED COMMUNITY GROWTH,
an unincorporated association
organized under the laws of the
Commonwealth of Pennsylvania;
PAUL B. AMBROSE; JOHN G.
ENDERS; CHARLES F. RAHAUSER;
BETSY RAHAUSER; DOUGLAS A.
WARNOCK; U.X. VAGNERINI;
THOMAS W. BUNDY; STEPHEN P.
BUCHER; ROGER J. ROBERTSON;
JAMES A. STRITE, JR.; and
DAVID A. GUTHRIE,**

CIVIL NO. 1:CV-01-0910

**FILED
HARRISBURG, PA**

MAY 29 2001

**MARY E. D'ANDREA, CLERK
Per MMT
Deputy Clerk**

Plaintiffs

v.

**KEN WYKLE, Administrator,
Federal Highway Administration;
and ROBERT GATZ, Federal
Highway Administration,**

Defendants

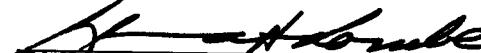
ORDER

Before the court in the captioned action is a 54 page complaint consisting of 264 paragraphs plus the demand for relief. Rule 8 of the Federal Rules of Civil Procedure states that a pleading "shall contain (1) a short statement of the grounds upon which the court's jurisdiction depends

... (2) a short and plain statement of the claim showing that the pleader is entitled to relief" The complaint filed in this action does not comply with this rule. Pages one and two and part of page three are totally unacceptable as part of a pleading. Furthermore, it does not require 264 paragraphs to state four counts of a complaint. Counsel is put on notice that the federal courts have notice pleading, not fact pleading.

Accordingly, **IT IS HEREBY ORDERED THAT:**

- 1) The complaint is impounded and the Clerk of Court is directed to seal the original complaint in this action.
- 2) No later than June 11, 2001, Plaintiffs shall file an amended complaint in compliance with Federal Rule of Civil Procedure 8 and this order.



Sylvia H. Rambo
United States District Judge

Dated: May 27 , 2001.

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

May 30, 2001

Re: 1:01-cv-00910 Greene/Guilford Envi v. Wykle

True and correct copies of the attached were mailed by the clerk to the following:

Thomas Alan Linzey, Esq.
Community Environmental Legal Defense Fund (CELDF)
2859 Scotland Road
Chambersburg, PA 17201

Martin Carlson
Acting US Atty.
228 Walnut Street
Harrisburg, PA. 17101

John Ashcroft, AG
950 Pennsylvania Ave.
Washington, DC. 20530

cc:			
Judge	(X)	()	Pro Se Law Clerk
Magistrate Judge	()	()	INS
U.S. Marshal	()	()	Jury Clerk
Probation	()		
U.S. Attorney	()		
Atty. for Deft.	()		
Defendant	()		
Warden	()		
Bureau of Prisons	()		
Ct Reporter	()		
Ctroom Deputy	()		
Orig-Security	()		
Federal Public Defender	()		
Summons Issued	()	with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()	
Standard Order 93-5	()		
Order to Show Cause	()	with Petition attached & mailed certified mail to: US Atty Gen () PA Atty Gen () DA of County () Respondents ()	
Bankruptcy Court	()		
Other _____	()		

MARY E. D'ANDREA, Clerk

DATE: May 29th, 2001

BY: 
Deputy Clerk